

THE HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SEATTLE CITY EMPLOYEES'  
RETIREMENT SYSTEM, an agency of  
the City of Seattle,

Plaintiff,

v.

EPSILON GLOBAL ACTIVE VALUE  
FUND II, LTD., a British Virgin Islands  
corporation, EPSILON GLOBAL  
MASTER FUND II, L.P., a limited  
partnership formed under the laws of the  
Cayman Islands, EPSILON  
INVESTMENT MANAGEMENT, LLC, a  
Delaware limited liability company,  
EPSILON GLOBAL ASSET  
MANAGEMENT LTD., a corporation  
formed under the laws of the Cayman  
Islands, and STEVEN G.  
STEVANOVICH, a resident of Florida,

Defendants.

No. 2:10-cv-555 RAJ

**DECLARATION OF HARRY H.  
SCHNEIDER, JR., IN SUPPORT OF  
DEFENDANTS' FRCP 6(b) REQUEST  
FOR ENLARGEMENT OF TIME TO  
ANSWER PLAINTIFF'S COMPLAINT**

Harry H. Schneider, Jr. declares as follows:

1. Identity and Competency. I am an attorney with Perkins Coie LLP, counsel for defendants in the above-captioned action. I make this declaration based on personal knowledge of which I am competent to testify.

DECLARATION OF HARRY H. SCHNEIDER, JR. IN  
SUPPORT OF REQUEST FOR ENLARGEMENT OF  
TIME TO ANSWER (NO. 2:10-CV-555) - 1

73288-0001/LEGAL18035669.1

**Perkins Coie LLP**  
1201 Third Avenue, Suite 4800  
Seattle, WA 98101-3099  
Phone: 206.359.8000  
Fax: 206.359.9000

2. Perkins Coie's Appearance. The Complaint was filed on March 15, 2010, in the Superior Court of the State of Washington in and for King County. All defendants are non-citizens and non-residents of the State of Washington, and none has been served in Washington State. Under Civil Rule 4 of the Washington Rules of Civil Procedure and RCW 4.28.180, a non-citizen and non-resident served out of state has 60 days to answer or otherwise respond to a filed Complaint. Counsel for defendants was retained on March 25, 2010, and appeared (or specially appeared) in the action on behalf of defendants on March 26, 2010. On March 31, 2010, defendants removed this action to this Court based on diversity jurisdiction.

3. Need for Additional Time to Answer. Given the recent engagement of Perkins Coie as defense counsel and the commitment of its time and efforts since its engagement to prepare removal papers, respond to plaintiff's motion for a preliminary injunction, prepare for the April 2 hearing before this Court, and supervise an expedited production of documents to plaintiff, defendants request a one-week enlargement of time within which to answer or otherwise respond to plaintiff's Complaint. Counsel for plaintiff has informed me via email exchange that plaintiff has no objection to the requested one week enlargement of time.

**I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.**

EXECUTED at Seattle, Washington, this 6th day of April, 2010.

s/ Harry H. Schneider, Jr.  
Harry H. Schneider, Jr., WSBA No. 9404

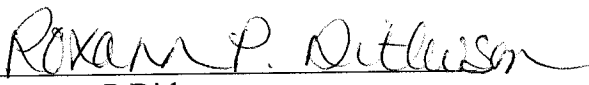
**CERTIFICATE OF SERVICE**

On the 6th day of April, 2010, I caused to be served upon the following, at the address stated below, via the method of service indicated, a true and correct copy of the foregoing document.

Bradley P. Thoreson	<input type="checkbox"/>	Via hand delivery
Samuel T. Bull	<input type="checkbox"/>	Via U.S. Mail, 1st Class,
Miriam H. Cho		Postage Prepaid
Foster Pepper PLLC	<input checked="" type="checkbox"/>	Via CM/ECF system
1111 Third Avenue, Suite 3400	<input type="checkbox"/>	Via Overnight Delivery
Seattle, WA 98101	<input type="checkbox"/>	Via Facsimile
<a href="mailto:thorb@foster.com">thorb@foster.com</a>	<input checked="" type="checkbox"/>	Via Email
<a href="mailto:bulls@foster.com">bulls@foster.com</a>		
<a href="mailto:chomi@foster.com">chomi@foster.com</a>		

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED at Seattle, Washington, this 6th day of April, 2010.

  
Roxann P. Ditlevson